

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LEONARD K. BAYLIS,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 06-11-SLR
)	
STANLEY TAYLOR, et al.,)	
)	
Defendants.)	

DEFENDANT STANLEY TAYLOR’S REPLY TO
PLAINTIFF’S ANSWER TO MOTION TO DISMISS

COMES NOW Defendant Stanley Taylor (“State Defendant”), by and through the undersigned counsel, and hereby responds to Plaintiff’s “Answer to Defendant’s Motion to Dismiss.” [D.I. 55].

1. On June 21, 2006, State Defendant filed his Answer to Plaintiff’s Amended Complaint. [D.I. 48]. State Defendant did not file a Motion to Dismiss.
2. On June 26, 2006, Defendants Chris Malaney, Anthony Cannoli and Charles Benton (“Medical Defendants”) filed a Motion to Dismiss with accompanying Memorandum. [D.I. 52, 53].
3. On July 12, 2006, Plaintiff responded to the Motion to Dismiss with a “Memorandum of Points and Authorities of Plaintiff’s Stand [sic] against Stanley Taylor, et al and Chris Malaney et al – Their Motion to Dismiss.” [D.I. 55]. Plaintiff’s Memorandum includes argument as to the liability of State Defendant.

4. Because State Defendant has no Motion to Dismiss pending in this case, State Defendant will offer no substantive response to Plaintiff's arguments. Any such response would be premature and potentially prejudicial to State Defendant.

5. Therefore, State Defendant respectfully requests that this Court decline to make any ruling as to State Defendant in addressing the Medical Defendants' Motion to Dismiss.

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Eileen Kelly

Eileen Kelly, I.D. #2884

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Attorney for Defendant Stanley Taylor

Date: July 12, 2006

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2006, I electronically filed *Defendant Stanley Taylor's Reply to Plaintiff's Answer to Motion to Dismiss* with the Clerk of Court using CM/ECF which will send notification of such filing to the following: Kevin J. Connors, Esquire and Lorenza Anna Wolhar, Esquire. I hereby certify that on July 12, 2006, I have mailed by United States Postal Service, the document to the following non-registered party: Leonard Baylis.

/s/ Eileen Kelly
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